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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,643	07/21/2003	Wilfried Eberle	028987.52342US	9975

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EXAMINER

BOCHNA, DAVID

ART UNIT PAPER NUMBER

3679

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/622,643	Applicant(s) EBERLE ET AL.	
	Examiner David E. Bochna	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7,8,10,11,18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,8,10 and 11 is/are allowed.
- 6) ☒ Claim(s) 1,3,5,7,18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 5, 7, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Bartholomew.

In regard to claim 1, Bartholomew discloses a device for providing wall ducts for conduits, tubing or electric cables for a motor vehicle,

wherein each conduit, tube or electric cable in an area of a wall duct contains a coupler, the coupler comprising two coupler halves 76, 74, first coupler halves 76, respectively, being jointly held in the device for providing wall ducts,

wherein at least two first coupler halves 76, respectively, are held together by a bracket 16,

wherein plugs 18 for receiving the first coupler halves 76 are provided in orifices 30 of a wall 20, with each of the plugs 18 held in its own orifice 30 in the wall 20, and

wherein the first coupler halves 76 are locked in the bracket and fastened in the plugs 18, wherein the plugs 18 are made of elastic rubber material and are combined into groups (there is a group of two plugs 18, on bracket 16).

In regard to claim 3, the plugs 18 contain steps 93, which act together with protrusions 92, 94 provided in the first coupler halves 76, in a snap-fit fashion.

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In regard to claim 5, Bartholomew discloses a device for providing wall ducts for conduits, tubing or electric cables for a motor vehicle, comprising:

a coupler provided for each of the conduits, tubes or electric cables in an area of one of the wall ducts, each coupler comprising first 76 and second 74 coupler halves,

a bracket 16 by which at least two first coupler halves 76 are jointly held together, and plugs 18 for receiving the at least two first coupler halves 76 provided in orifices 30 of a wall 20, with each of the plugs 18 held in its own orifice 30 in the wall 20

wherein at least two first coupler halves 76 are locked in the bracket 16 and fastened in at least two of the plugs 18, wherein the plugs 18 are made of elastic rubber material and are combined into groups (there is a group of two plugs 18 on bracket 16).

In regard to claim 7, the plugs 18 contain steps 93 which act together with protrusions 92 provided in the first coupler halves 76, in a snap-fit fashion.

In regard to claims 18 and 19, the second coupler halves 74 of the two coupler halves 74, 76 are directly fastened to the first coupler halves (via plugs 18).

3. Claims 1, 5, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Souvatzidis et al.

In regard to claims 1 and 5, Souvatzidis et al. discloses a device for providing wall ducts for conduits, tubing or electric cables for a motor vehicle,

wherein each conduit, tube or electric cable in an area of a wall duct contains a coupler, the coupler comprising two coupler halves 144, 132, first coupler halves 144, respectively, being jointly held in the device for providing wall ducts,

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wherein at least two first coupler halves 144, respectively, are held together by a bracket 106,

wherein plugs 150 for receiving the first coupler halves 144 are provided in orifices 140 of a wall 106, with each of the plugs 150 held in its own orifice 140 in the wall 106, and

wherein the first coupler halves 144 are locked in the bracket 106 and fastened in the plugs 150, wherein the plugs 150 are made of elastic rubber material and are combined into groups (groups of three).

In regard to claims 18 and 19, the second coupler halves 132 of the two coupler halves 144, 132 are directly fastened to the first coupler halves 144.

Allowable Subject Matter

4. Claims 4, 8, 10 and 11 are allowed.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 3, 5, 7 and 18-19 have been considered but are moot in view of the new ground(s) of rejection.

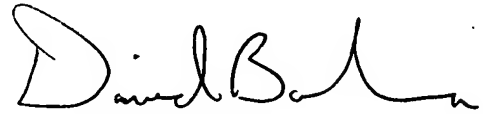
Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

A handwritten signature in black ink, appearing to read "David Bochna". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

David Bochna
Primary Examiner
Art Unit 3679
May 15, 2005